IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
Criminal III Bail Application No. 489 of 2006

Mustqueem S/o Jahid,
R/o Village Kamalpur,
P.S. Fatherpur,
District Saharanpur U.P. Applicant

Versus

State of Uttaranchal Respondent.

Arising out of Case Crime No. 115 of 2003 (S.T. No. 325 of 2003)
U/S 302 I.P.C.
P.S. Bhagwanpur,
District Haridwar.

Hon'ble B.C. Kandpal, J.

This is third bail application, as earlier two bail applications have been rejected by this Court on merit.

Learned counsel for the applicant has submitted that all the witnesses produced by the prosecution have turned hostile and thus the prosecution case is not established against the applicant beyond reasonable doubt.

Learned A.G.A. has informed the court that the trial court has directed for brain mapping test, which is still awaited and the special messenger has been sent to obtain the same. He has stated that the trial is at its fag end and will be concluded soon.

Keeping in view the aforesaid circumstances, I do not find it a fit case for bail. The bail application is rejected.

However, I direct the trial court to conclude the trial within a period of 45 days from the date of production of certified copy of this order.

(B.C. Kandpal, J.)

Dated: 14.07.2006
ISB